

REMARKS

In view of the above amendments and the following remarks, favorable reconsideration and allowance of the above application is respectively sought.

There are now pending in this application Claims 11-13, of which Claim 11 is the sole independent claim. New claims 11-13 have been added, and Claims 7-10 have been cancelled without prejudice.


Applicant submits that support for the new claims can be found in the original disclosure at least, for example, in paragraphs [0118]-[0121], [1030], [0163], and [0165]-[0167] and Figs. 2, 3, and 7 of the original disclosure. Accordingly, Applicant submits that no new matter has been added. Further, Applicant submits that Claims 11-13 are directed to the same invention as the original claims, namely, where a plurality of image data are acquired at a plurality of charge accumulating times and a plurality of correction data are acquired at different times having the duration, respectively, as the charge accumulating times at which the image data were acquired. Accordingly, Applicant requests consideration of these claims on the merits.

Claims 7-10 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. Those claims were also rejected under Section 112, second paragraph, as allegedly being indefinite. Applicant submits that those rejections are moot in view of the cancellation of Claims 7-10. Moreover, Applicant submits that new Claims 11-13 are fully supported by the specification, as noted above, and avoid the alleged inconsistencies mentioned in the Office Action. Accordingly, Applicant submits that those claims comply with the statutory requirements.

Applicant respectfully submits that all outstanding matters in the above application have been addressed and that this application is now in condition for allowance. Entry of this Amendment, favorable reconsideration and early passage of the above application is respectfully sought.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian L. Klock', is written over a horizontal line.

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